

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SILVAYN VASQUEZ et al.,

Plaintiffs,

-V.-

MOBILESHACK INC. et al.,

Defendants.  
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ORDER

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19 Civ. 10371 (PAE) (GWG)

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**GABRIEL W. GORENSTEIN, United States Magistrate Judge**

For the reasons stated on the record at a conference held today, the Court orders as follows:

(1) By May 31, 2022 (or later date if agreed to by the parties), each plaintiff shall provide to defendants a sworn statement that (a) describes all efforts the plaintiff made to comply with the defendants' document requests and (b) describes what documents were located as a result of those efforts.

(2) In light of the repeated efforts by defendants' attorney to obtain production of documents responsive to defendants' requests, which finally resulted in a belated production, defendants are awarded their reasonable expenses in making the applications to the Court to obtain these documents. See Fed. R. Civ. P. 37(a)(5). Counsel for plaintiffs and plaintiffs Silvayn Vasquez and Andrew Kettle shall be jointly and severally liable for those expenses. The parties shall attempt to agree on the amount of those expenses. If agreement cannot be reached, defendants may make a letter application for those expenses.

(3) The deadline for discovery is extended to June 30, 2022. Any request to Judge Engelmayer for permission to make a summary judgment motion shall be filed by June 30, 2022.

SO ORDERED.

Dated: May 17, 2022  
New York, New York

  
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GABRIEL W. GORENSTEIN

United States Magistrate Judge